

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for certificate to provide competitive local exchange telecommunications service by 365 Wireless, LLC.	DOCKET NO. 110268-TX ORDER NO. PSC-11-0570-PAA-TX ISSUED: December 12, 2011
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The following Commissioners participated in the disposition of this matter:

ART GRAHAM, Chairman
LISA POLAK EDGAR
RONALD A. BRISÉ
EDUARDO E. BALBIS
JULIE I. BROWN

NOTICE OF PROPOSED AGENCY ACTION
ORDER GRANTING CERTIFICATE OF AUTHORITY

BY THE COMMISSION:

NOTICE is hereby given by the Florida Public Service Commission that the action discussed herein is preliminary in nature and will become final unless a person whose interests are substantially affected files a petition for a formal proceeding, pursuant to Rule 25-22.029, Florida Administrative Code.

365 Wireless, LLC (365 Wireless) has applied for a Certificate of Authority, pursuant to Section 364.335, Florida Statutes. Upon review of its application, it appears that 365 Wireless has sufficient technical, financial, and managerial capability to provide such service. Accordingly, we hereby grant to 365 Wireless Certificate No. 8822 which shall authorize it to provide telecommunication services throughout the State of Florida.

If this Order becomes final and effective, it shall serve as 365 Wireless' certificate. 365 Wireless should, therefore, retain this Order as proof of certification. We are vested with jurisdiction over this matter pursuant to Section 364.335, Florida Statutes.

365 Wireless, LLC is required to comply with all applicable provisions of Chapter 364, Florida Statutes, and Chapter 25-4 and 25-24, Florida Administrative Code.

DOCUMENT NUMBER DATE

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FPSC-COMMISSION CLERK

In addition, under Section 364.336, Florida Statutes, certificate holders must pay a minimum annual Regulatory Assessment Fee (RAFs) if the certificate was active during any portion of the calendar year. A RAFs Return notice will be mailed each December to 365 Wireless for payment by January 30th. Neither the cancellation of the certificate nor the failure to receive a RAFs Return notice shall relieve 365 Wireless from its obligation to pay RAFs.

Based on the foregoing, it is

ORDERED by the Florida Public Service Commission that we hereby grant Certificate No. 8822 to 365 Wireless, LLC, which shall authorize it to provide Certificate of Authority services, subject to the terms and conditions set forth in the body of this Order. It is further

ORDERED that this Order shall serve as 365 Wireless, LLC's certificate and should be retained by 365 Wireless, LLC as proof of certification. It is further

ORDERED that the provisions of this Order, issued as proposed agency action, shall become final and effective upon the issuance of a Consummating Order unless an appropriate petition, in the form provided by Rule 28-106.201, Florida Administrative Code, is received by the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on the date set forth in the "Notice of Further Proceedings" attached hereto. It is further

ORDERED that in the event this Order becomes final, this docket shall be closed.

By ORDER of the Florida Public Service Commission this 12th day of December,
2011.



ANN COLE
Commission Clerk
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
(850) 413-6770
www.floridapsc.com

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NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing that is available under Section 120.57, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

The action proposed herein is preliminary in nature. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, in the form provided by Rule 28-106.201, Florida Administrative Code. This petition must be received by the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on January 2, 2012.

In the absence of such a petition, this order shall become final and effective upon the issuance of a Consummating Order.

Any objection or protest filed in this/these docket(s) before the issuance date of this order is considered abandoned unless it satisfies the foregoing conditions and is renewed within the specified protest period.